

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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MONTE LEE BURCH,

Petitioner,

v.

RENEE BAKER, *et al.*,

Respondents.

Case No. 2:17-cv-00656-MMD-VCF

ORDER

This is a habeas corpus action under 28 U.S.C. § 2254. The Court granted in part Respondents' motion to dismiss, directing Petitioner to decide what to do with the unexhausted grounds five, eight, nine, and 10. (ECF No. 52.) Petitioner has filed a motion for partial dismissal of grounds five, eight, nine, and 10. (ECF No. 53.) Respondents have filed a non-opposition. (ECF No. 54.) The Court will grant Petitioner's motion, and Respondents will need to answer the remaining grounds.

It is therefore ordered that Petitioner's motion for partial dismissal of grounds five, eight, nine, and 10 (ECF No. 53) is granted. Grounds five, eight, nine, and 10 of the amended petition (ECF No. 19) are dismissed from this action.

It is further ordered that that Respondents will have 60 days from the date of entry of this order to file and serve an answer, which must comply with Rule 5 of the Rules Governing Section 2254 Cases in the United States District Courts. Petitioner will have 30 days from the date on which the answer is served to file a reply.

DATED THIS 4<sup>th</sup> Day of May 2020

  
MIRANDA M. DU  
CHIEF UNITED STATES DISTRICT JUDGE